

AGN. NO. _____

MOTION BY SUPERVISORS MICHAEL D. ANTONOVICH
AND DON KNABE

SEPTEMBER 20, 2005

Ruling that the phrase, "under God," is unconstitutional, U.S. District Judge Lawrence Karlton has issued an order barring children in Sacramento-area school districts from reciting the Pledge of Allegiance.

In 2004, the United States Senate voted 99-0 to support the pledge. The Constitution provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..." The reference to God in the Pledge of Allegiance, as well as U.S. Supreme Court and Congressional proceedings -- even our nation's currency -- reflects the founding fathers' commitment to the preservation and defense of our religious freedom.

The Supreme Court begins each session with the phrase "God save the United States and this honorable Court." The Declaration of Independence refers to God or the Creator four separate times and Congress begins each session with a prayer. Our currency contains the phrase "In God We Trust."

Delivering his last official opinion, upholding the constitutionality of the Texas State Capitol's Ten Commandments monument, Chief Justice Rehnquist said the Constitution does not prohibit the government from acknowledging the nation's religious heritage.

- M O R E -

MOTION

BURKE _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

MOLINA _____

- PAGE 2 -

The defendant school districts in this case intend to appeal the case to the 9th U.S. Circuit Court of Appeals and the Supreme Court if necessary.

I, THEREFORE, MOVE that the Board of Supervisors direct the County Counsel to prepare an amicus curie brief in support of the Sacramento County School District's position that the Pledge of Allegiance is constitutional for submission to the 9th U.S. Circuit Court of Appeals.

#

MDA:tb